

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **REGULATORY SEQUENCES CAPABLE OF CONFERRING EXPRESSION OF A HETEROLOGOUS DNA SEQUENCE IN ENDOTHELIAL CELLS IN VIVO AND USES THEREOF**, the specification of which

\_\_\_\_\_ is attached hereto.

X was filed on December 2, 1999 (Attorney Docket No. VOSS1110) as U.S. Application Serial No. 09/445,201 and was amended on \_\_\_\_\_ if applicable (the "Application").

**I hereby authorize and request insertion of the application serial number of the Application when officially known.**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)      (Filing Date)

\_\_\_\_\_  
(Application Serial No.)      (Filing Date)

\_\_\_\_\_  
(Application Serial No.)      (Filing Date)

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

PCT/EP98/03318      6/3/98      Pending  
(Application Serial No.)      (Filing Date)      (Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)      (Filing Date)      (Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)      (Filing Date)      (Status)  
(patented, pending, abandoned)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country

PATENT  
Attorney Docket No.: VOSS1110

In re Application of: )  
Breier et al. )  
Application No.: 09/445,201 )  
Filed: December 2, 1999 )  
For: REGULATORY SEQUENCES )  
CAPABLE OF CONFERRING )  
EXPRESSION OF A )  
HETEROLOGOUS DNA SEQUENCE )  
IN ENDOTHELIAL CELLS IN VIVO )  
AND USES THEREOF )

POWER OF ATTORNEY BY ASSIGNEE

As a below-named assignee of the above-identified application ("Application"):

I hereby appoint the following attorneys of the assignee to prosecute the Application and to transact all business in the United States Patent and Trademark Office connected therewith:

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Registration No. 44,835  
Registration No. 31,238  
Registration No. 35,255  
Registration No. 30,298  
Registration No. 41,234  
Registration No. 31,192  
Registration No. 40,825  
Registration No. 38,322  
Registration No. 38,626  
Registration No. 27,774

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Breier et al.  
Application No.: 09/445,201  
Filed: December 2, 1999  
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Attorney Docket No.: VOSS1110

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Application when officially known.

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**Max-Planck-Gesellschaft zur Forderung der Wissenschaften**

By:

Christa Herzog

Name:

Christa Herzog

Title:

Head of patent department

Date:

15.3.2000

other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED	
<u>Germany</u>	<u>EP 97 10 8959.4</u>	<u>6/3/97</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Georg Breier

Inventor's signature: Georg Breier

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Full name of second inventor: Werner Risau (deceased)

signed by Barbara Risau as executor of his estate

Inventor's signature: Barbara Risau

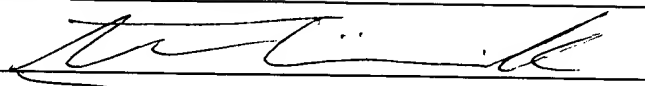
Date: 18. 03. 2000

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Date: 13 III 00

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25 Mai 2000

(effective as of May 2000:

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